

Locke Lord Bissell & Liddell LLP  
300 South Grand Avenue, Suite 2600  
Los Angeles, CA 90071

LOCKE LORD BISSELL & LIDDELL LLP

Nina Huerta (SBN: 229070)

nhuerta@lockelord.com

300 South Grand Avenue, Suite 2600

Los Angeles, CA 90071

Telephone: 213-485-1500

Facsimile: 213-485-1200

Attorneys for Defendants

VERICREST FINANCIAL, INC., successor-in-interest to

THE CIT GROUP/CONSUMER FINANCING, INC.,

erroneously named as THE CIT GROUP

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

JUAN JOSE RODRIGUEZ,

JUAN ARIAS CARLOS RODRIGUEZ

Plaintiffs,

v.

AMERICAN PRIME FUNDING, BANK

UNITED, FSB., THE CIT GROUP, NAZ

DYLAN FONTILEA, JOEL VALENCIA,

WILLIAM PASCUAL, GMAC MORTGAGE,

SERGIO ALVAREZ, M&R CONTEMPORARY

SOLUTIONS, INC., ALLIANCE TITLE

COMPANY, AND DOES 1-50.

Defendants.

) CASE NO. 1-09-CV-01127 JF

)

) Honorable Jeremy Fogel

)

) **[PROPOSED] ORDER GRANTING**

) **STIPULATION FOR DISMISSAL WITH**

) **PREJUDICE AS TO THE CIT**

) **GROUP/CONSUMER FINANCING,**

) **INC., ERRONEOUSLY NAMED AS THE**

) **CIT GROUP, AND ITS SUCCESSOR-IN-**

) **INTEREST, VERICREST FINANCIAL,**

) **INC.**

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Upon consideration of the Stipulation for Dismissal with Prejudice between Plaintiffs Juan Jose Rodriguez and Juan Carlos Arias Rodriguez (collectively, "Plaintiffs") and defendant Vericrest Financial, Inc., successor-in-interest to The CIT/Group Consumers Financing, Inc., erroneously named as The Cit Group, and for good cause having been shown, IT IS HEREBY ORDERED that

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1 the Complaint shall be dismissed with prejudice, with each party to bear its own costs and attorney  
2 fees, as to The CIT Group/Consumer Financing, Inc., erroneously named as The CIT Group, and its  
3 successor-in-interest Vericrest Financial, Inc.

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5 DATED: 7/16/09

  
The Honorable Jeremy Fogel  
United States District Judge

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